

Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-4683
Fax: 571-273-0042

Paper 23

Filed: 10 June 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

EDWARD L. TOBINICK,
and ARTHUR HEROME TOBINICK,
Junior Party
(Patent 6,015,557),

v.

JUNMING LE,
JAN VILCEK, PETER DADDONA,
JOHN GHRAYEB, DAVID KNIGHT, and SCOTT SIEGEL,
Senior Party
(Applications 10/227,488 and 10/665,971)

Patent Interference No. 105,621
(Technology Center 1600)

REDECLARATION – Bd.R. 203(c)

1
2 Upon consideration of the record, it is

3 ORDERED that the interference is redeclared to the following extent only:

4 1. New Count 2 is substituted for Count 1.

5 2. Count 2 is as follows:

6 Claim 1 of Tobinick (6,015,557) or claim 4 of Le (10/227,488) or claim 1 of Le
7 (10/665,971).

8 3. The status of the claims is as follows:

1 The claims of the parties are:

2 Tobinick: 1-47

3 Le '488: 4, 7-10, 32, 33, 37, 53-58, 60-65, 85, 87, and 88

4 Le '971: 1-7, 18-20, 22-37

5 The claims of the parties which correspond to Count 1, and therefore are
6 involved in the interference, are:

7 Tobinick: 1-3, 13, 14, 17-26

8 Le '488: 4, 7-10, 32, 33, 37, 53-58, 60-65, 85, 87, and 88

9 Le '971: 1-7, 18-20, 22-37

10 The claims of the parties which do not correspond to Count 1, and therefore are
11 not involved in the interference, are:

12 Tobinick: 4-12, 15, 16, 27-47

13 Le '488: None

14 Le '971: None

15 4. Each party is accorded the same priority benefit for Count 2 as it was accorded
16 for Count 1; and

17 FURTHER ORDERED that all times set in the interference remain in
18 effect.

19

20

21

22

23

24

1 cc (via electronic transmission):
2
3 Attorney for Junior Party Tobinick:
4
5 Robert Hahl, Esq.
6 Rick Neifeld, Esq.
7 rhahl@neifeld.com
8 rneifeld@neifeld.com
9
10 Attorney for Senior Party Le:
11
12 Joseph Lucci, Esq.
13 Susan G. L. Glovsky
14 lucci@woodcock.com
15 susan.glovsky@hbsr.com
16
17
18
19
20